

RECEIVED
COMMERCIAL PATENTS
SEP 29 2006


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gerald Thomas FATTIC , et al.)
Serial No.: 10/676,549) Group Art Unit: 1745
Filed: October 1, 2003)
For: APPARATUS AND METHOD FOR)
SOLIDE OXIDE FUEL CELL AND)
THERMIONIC EMISSION BASED)
POWER GENERATION SYSTEM)
Examiner: A. Martin

Certificate of Facsimile Transmission

I here by certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date below.

SEPTEMBER 29, 2006


Kandace Brown

AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

This is Applicants' response to the Office Action mailed August 30, 2006 requiring restriction between claims 1-17, 22-25 (Group I) and claims 18-21 (Group II), and also requiring an election of species. In response, Applicants elect with traverse to prosecute claims 1-17 and 22-25 (Group I) and also elect Species II. The Office Action states that claims 13-17 read on this elected species. Applicants note that the election of species becomes limiting only if there are no generic claims linking the different species. Applicants further note that claim 1 is generic to all of the species, and have amended the application to make the claims 13-17 and 22-25 dependent on claim 1 to emphasize this. This amendment also adopts a uniform nomenclature for naming and distinguishing first and second thermionic devices and first and second heat exchangers.

Please amend the above-identified application as follows: